

Serial No. 09/724,157

Page 2

Applicants hereby elect Group I. The portion of the claims relating to Group II (involving SEQ ID NO:109) are canceled without prejudice, thereby mooting the restriction requirement with respect to Group II.

In addition, the Examiner states that the claims are directed to the following patentably distinct species of the claimed invention: each of the species in claims 4 and 6. Applicants elect from among these species, with traverse, the additional species insulin. The claims readable thereon are claims 2-6. Following election, the Markush-type claims 4 and 6 will be examined fully with respect to the elected species insulin and further to the extent necessary to determine patentability. Should no prior art be found that anticipates or renders obvious the elected species, the search of the Markush-type claims will be extended to the extent necessary to determine patentability of claims 4 and 6.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

For the Examiner's convenience, a clean copy of the currently pending claims is attached hereto.

If the Examiner has any questions, he should feel free to call the undersigned attorney at the number indicated below.

Respectfully submitted,
GENENTECH, INC.

Date: March 27, 2002

By: Janet E. Hasak
Janet E. Hasak
Reg. No. 28,616
Telephone No. (650) 225-1896



09157

PATENT TRADEMARK OFFICE

@PFDesktop\ : : ODMA/PCDOCS/GENENLAW/107396/1

Serial No. 09/724,157

Page 3

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 1 has been amended as follows, with underlining and bold indicating added text and brackets and strikeout indicating deleted text:

1. (amended) A peptide comprising an amino acid sequence that is SEQ ID NO:108 [~~or SEQ ID NO:109~~].

@PFDesktop\::ODMA/PCDOCS/GENENLAW/107396/1